



Rep. Sara Feigenholtz

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LRB097 03614 RPM 54034 a

1 AMENDMENT TO HOUSE BILL 786

2 AMENDMENT NO. _____. Amend House Bill 786, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the
6 Ultrasound Opportunity Act.

7 Section 5. Legislative purpose. The purposes of this Act is
8 to:

9 (1) protect the physical health and welfare of every
10 person considering a medical procedure;

11 (2) ensure that every person considering a medical
12 procedure receive complete information on the reality and
13 status of their medical condition and that every person
14 submitting to a medical procedure do so only after giving
15 her voluntary and informed consent to the medical
16 procedure; and

1 (3) reduce the risk that a person may elect to have a
2 medical procedure, only to discover later, with
3 devastating psychological consequences, that their
4 decision was not fully informed.

5 Section 10. Definitions. Unless the language or context
6 clearly indicates a different meaning is intended, the
7 following words or phrases for the purpose of this Act shall be
8 given the meaning ascribed to them:

9 "Medical emergency" means a condition that, on the
10 basis of the physician's good faith clinical judgment, so
11 complicates the medical condition of person as to
12 necessitate immediate treatment to avert death or for which
13 a delay will create serious risk of substantial and
14 irreversible impairment of major bodily function.

15 "Physician" means any person licensed to practice
16 medicine in all its branches under the Medical Practice Act
17 of 1987.

18 "Qualified person" means a person having documented
19 evidence that he or she has completed a course in the
20 operation of ultrasound equipment and is in compliance with
21 any other requirements of law regarding the operation of
22 ultrasound equipment.

23 Section 15. Offer of ultrasound required.

24 (a) At any facility where medical procedures are performed

1 the physician who is to perform the medical procedure, the
2 referring physician, or another qualified person working in
3 conjunction with either physician shall offer any person
4 seeking medical care, including, but not limited to, cardiac,
5 renal, liver, gallbladder, vascular, abdominal, obstetric,
6 gynecological, muscle, ligament, tendon, eye, testicle,
7 salivary gland, lymph node, breast, liver, kidney, and joint
8 diagnosis or treatment an opportunity to receive and view an
9 ultrasound by someone qualified to perform ultrasounds at the
10 facility, or at a facility listed in a listing of local
11 ultrasound providers provided by the facility, at least one
12 hour prior to the person having any part of a medical procedure
13 performed, and prior to the administration of any anesthesia or
14 medication in preparation for the medical procedure.

15 (b) The ultrasound shall be performed by a qualified person
16 or persons. The active ultrasound image must be of a quality
17 consistent with standard medical practice. The person's
18 response to the offer must be documented by the facility,
19 including the date and time of the offer and the person's
20 signature attesting to their informed decision to accept or
21 decline the offer.

22 Section 20. Reports. The Department of Public Health shall
23 prepare and make available a reporting form, to be submitted by
24 each facility that performs medical procedures to the
25 Department annually. The form shall provide for the collection

1 of the following information:

2 (1) The number of individuals who chose to view an
3 ultrasound pursuant to this Act and the number who did not;
4 and of each of those numbers, the number who, to the best
5 of the reporting facility's information and belief, went on
6 to obtain the medical procedure.

7 (2) The name of the facility.

8 (3) The date of the report.

9 Section 25. Medical emergency. The requirements under this
10 Act shall not apply when, in the medical judgment of the
11 physician performing or inducing the medical procedure based on
12 the particular facts of the case before him or her, there
13 exists a medical emergency.

14 Section 97. Severability. The provisions of this Act are
15 severable under Section 1.31 of the Statute on Statutes.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."